

Remarks/Arguments

Claims 1-4, 6, 8-9, 11 and 13 are pending in this application, and are rejected in the Office Action of April 1, 2010. Claims 1, 6 and 11 are amended herein to more particularly point out and distinctly claim the subject matter Applicants regard as the invention.

Re: Patentability of Claims 1-4, 6, 8-9, 11 and 13

Claims 1-4, 6, 8-9, 11 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over the proposed combination of U.S. Patent Publication No. 2005/0138660 by Boyer et al. (hereinafter, "Boyer"), WO 98/56172 by Schneidewend (hereinafter, "Schneidewend"), and U.S. Patent Publication No. 2007/0162937 by Casement et al. (hereinafter, "Casement"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants first note that claim 1, as amended herein, recites:

"A method for operating a video processing apparatus, said video operating apparatus being capable of operating in a video operating mode, and in a computer program operating mode, said video processing apparatus having an electronic program guide operable in said video operating mode and not in said computer program operating mode, said method comprising the steps of:

operating said video processing apparatus in said computer program operating mode by running a computer application software program on said video processing apparatus, said computer application software program providing a display;

causing an advertisement associated with a broadcast television program specified by a service provider to be displayed in an area of said display while said computer application software program is running;

receiving a signal indicating user selection of said advertisement while said computer application software program is running; and

providing a user selection display in response to said user selection of said advertisement, said user selection display being provided while said computer application software program is running and comprising a listing of a plurality of user selectable options associated with said broadcast television program, wherein at least one of said plurality of user selectable options, which when selected, causes said video processing apparatus to switch from said computer program operating mode to said video operating mode and wherein said plurality of user selectable options includes a first option which when selected causes said video processing

apparatus to immediately tune to a channel in which said broadcast television program is on, a second option which when selected causes said video processing apparatus to tune to said channel in which said broadcast television program is on when said broadcast television program starts, a third option which when selected causes said video processing apparatus to program a recording timer to record said broadcast television program, a fourth option which when selected causes said video processing apparatus to access a web site associated with said broadcast television program, and a fifth option which when selected causes said video processing apparatus to return to said computer application software program, and further wherein said video processing apparatus causes a user's work in said computer application software program to be saved in response to selection of at least one of said plurality of user selectable options." (emphasis added by underlining and italics)

As indicated above, claim 1 defines a method for operating a video processing apparatus that is capable of operating in a video operating mode and in a computer program operating mode. The video processing apparatus operates in the computer program operating mode by running a computer application software program and providing a display. An advertisement associated with a broadcast television program specified by a service provider is displayed in an area of the display while the computer application software program is running. A signal indicating user selection of the advertisement is received by the video processing apparatus while the computer application software program is running. In response to the user selection of the advertisement, and while the computer application software program is running, a user selection display is provided.

According to one aspect of the present invention, the user selection display comprises a listing of a plurality of user selectable options associated with the broadcast television program (see underlined language above). At least one of the plurality of user selectable options, when selected, causes the video processing apparatus to switch from the computer program operating mode to the video operating mode. Also according to an exemplary embodiment, the plurality of user selectable options includes: a first option which when selected causes the video processing apparatus to immediately tune to a channel in which the broadcast television program is on, a second option which when selected causes the video processing apparatus to

tune to the channel in which the broadcast television program is on when the broadcast television program starts, a third option which when selected causes the video processing apparatus to program a recording timer to record the broadcast television program, a fourth option which when selected causes the video processing apparatus to access a web site associated with the broadcast television program, and a fifth option which when selected causes the video processing apparatus to return to the computer application software program.

Another aspect of the invention, which is added herein by amendment, involves a feature wherein the video processing apparatus advantageously causes a user's work in the computer application software program to be saved in response to selection of at least one of the aforementioned user selectable options (see *italicized* language of claim 1 above). Support for this amendment may be found, for example, on page 5, lines 17-18 of Applicants' specification. Independent claims 6 and 11 are also amended herein and recite subject matter similar to claim 1.

None of the cited references, whether taken individually or in combination, discloses or suggests each and every feature of independent claims 1, 6 and 11. On page 4 of the Office Action dated April 1, 2010, the Examiner ostensibly admits (with respect to claims 1 and 11) that neither Boyer nor Schneidewend discloses the underlined features of independent claims 1, 6 and 11 defined above. In an attempt to remedy these admitted deficiencies of Boyer and Schneidewend, the Examiner relies on Casement and specifically cites FIGS. 2 and 4 and paragraphs [0027]-[0037] thereof.

In response, Applicants submit that Casement is unable to remedy all of the admitted deficiencies of Boyer and Schneidewend referenced above. In particular, Casement discloses a television schedule system having a pop-up action menu and icons (see, for example, FIGS. 2 and 4). However, Casement fails to disclose or suggest, *inter alia*, the claimed "fourth option" which when selected causes the video processing apparatus to access a web site associated with the broadcast television program, and the claimed "fifth option" which when selected causes the video

processing apparatus to return to the computer application software program, as recited by independent claims 1, 6 and 11. Accordingly, even if Casement is combined with Boyer and Schneidewend, as proposed, the resulting combination still does not disclose or suggest each and every feature of independent claims 1, 6 and 11. Accordingly, for this reason alone, Applicants submit that the instant rejection should be withdrawn.

Moreover, Applicants submit that none of the cited references, whether taken individually or in combination, discloses or suggests, *inter alia*, the newly added feature of independent claims 1, 6 and 11, wherein the video processing apparatus advantageously causes a user's work in the computer application software program to be saved in response to selection of at least one of the aforementioned user selectable options (see *italicized* language of claim 1 above).

Accordingly, for at least the foregoing reasons, Applicants submit that claims 1-4, 6, 8-9, 11 and 13 are patentable over the proposed combination of Boyer, Schneidewend and Casement, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing remarks/arguments and accompanying amendments, the Applicants believe this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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